UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, *Plaintiff*, v. SOLARWINDS CORP. and TIMOTHY G. BROWN, *Defendants*.	1:23-cv-09518-PAE

JOINT STIPULATION TO DISMISS, AND RELEASES

Plaintiff Securities and Exchange Commission (the "Commission" or the "SEC") and Defendants SolarWinds Corp. ("SolarWinds") and Timothy G. Brown ("Brown") (collectively, the "Defendants") respectfully submit this joint stipulation.

WHEREAS, the Commission filed its complaint in this civil enforcement action (the "Litigation") on October 20, 2023, and filed an Amended Complaint on February 16, 2024.

WHEREAS, on July 18, 2025, the Court entered an order on Defendants' motion to dismiss, in which the Court granted the motion in part and denied the motion in part. *SEC v. SolarWinds Corp. et al.*, 741 F. Supp. 3d 37 (S.D.N.Y. Jul. 18, 2024).

WHEREAS, in light of the foregoing, and in the exercise of its discretion, the Commission believes the dismissal of this case is appropriate.

WHEREAS, the Commission's decision to seek dismissal of this Litigation does not necessarily reflect the Commission's position on any other case.

WHEREAS, by this stipulation, the Commission and the Defendants agree to have this Litigation dismissed.

NOW, THEREFORE,

1. Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii), the Commission and the Defendants stipulate that this Litigation be dismissed with prejudice as to the conduct alleged in the Amended Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.

2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

   a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant[s] that in any way relate to the Litigation, including but not limited to investigative steps taken prior to commencing the Litigation.

   b. Any and all claims, demands, rights, and causes of action of every kind and nature, asserted or unasserted, against the Commission and its present and former officers or employees that arise from or in any way relate to the Litigation, including but not limited to investigative steps taken prior to commencing the Litigation.

3. Each of the undersigned represents that they have the authority to execute this stipulation on behalf of the party so indicated.

STIPULATED AND AGREED:

Margaret A. Ryan
Director, Division of Enforcement
Securities and Exchange Commission
100 F Street NE
Washington DC 20549

Dated: November 20, 2025

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Dated: November 17, 2025